

**Town Council Minutes  
Morehead City, North Carolina**

**Tuesday, January 13, 2015**

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, January 13, 2015, at 5:30 p.m., in the Municipal Chambers located at 202 South 8<sup>th</sup> Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	George W. Ballou
COUNCIL:	William F. Taylor
	Demus L. Thompson [Absent]
	Harvey N. Walker, Jr.
	Diane C. Warrender [Absent]
CITY MANAGER:	David S. Whitlow
CITY CLERK:	Jeanne M. Giblin
CITY ATTORNEY'S OFFICE:	Nelson W. Taylor, III; Derek Taylor; Mike Thomas
OTHERS:	Roger Mays; Barbara Caffin; Holly Fletcher; Mark Hibbs, Reporter, THE CARTERET NEWS TIMES, Brad Teer; Xavier Basuto; Planning Director Linda Staab; Mindy Fitzpatrick; Ted Odell; David Shoe; Recreation Director Craig Lands; Sarah Speigler; Emily Pickering; Avery Paxtar, Holly Fletcher; Sam Scudder; Pauas Teer; Lou Teer; Scott Ensign; Librarian Sandy Bell; Deputy Clerk Janet Hill; Carolyn Dennis; Public Services Director Daniel Williams; Acting Police Chief Bernette Morris; David McCabe; Rose McCabe; Bryan Dixon; Haywood Wilder; Roldan Munoz; Jeremy Aycocock; Jimmy Pope, Tom Wadworth and several others

**I. Regular Meeting Call to Order, Invocation and Pledge of Allegiance**

Mayor Jones called the meeting to order at 5:30 p.m. Councilman Ballou gave the invocation and all joined in The Pledge of Allegiance.

**II.A. Resolution of Sympathy for Police Chaplain Bobby Ray Caffin**

Bobby Ray Caffin was the chaplain for the Morehead City Police Department for many years and known by the officers and staff as "Chaplain Bob". He passed on November 4, 2014, after a life that was devoted to his community. Mayor Jones presented his wife Barbara with Resolution of Sympathy 2015-05 in his memory.

**II.B. Resolution of Retirement for Police Chief Wrenn Johnson**

Morehead City Chief of Police Wrenn Johnson will retire from the Morehead City Police Department on February 1, 2015. She began her career as a Police Officer in 1986 and over the years progressed through the ranks. She became the Chief of Police on March 8, 2005. Mayor Jones presented Resolution 2015-06 to members of the Morehead City Police Department. He then introduced Interim Police Chief Bernette Morris who addressed the audience saying her office was always open and that she would do her best for the citizens.

**II.C. Resolution of Retirement 2015-07 for Public Works Director David McCabe**

Public Works Director David McCabe retired on December 31, 2014, after serving the Town of Morehead City for over 36 years. He began working for the City in 1978 as Water/Sewer Serviceman and retired as Public Works Director. Mayor Jones presented Resolution 2015-07 to David McCabe and his wife, Rose.

**Adoption of the CONSENT AGENDA**

**III.A. Approval of Minutes: Tuesday, December 9, 2014, Regular Meeting**

*Approved the minutes of Tuesday, December 9, 2014, Regular Meeting and dispensed with the reading.*

**III.B. Approve the Requests for Release of Overpayment of Ad Valorem Taxes for December 2014, in the amount of \$11,256.96; and Accept the Tax Collector and Finance Director Reports for December 2014**

*Approved the requests for release of overpayment of ad valorem taxes for December 2014, in the amount of \$11,256.96; and accepted the Tax Collector and Finance Director Reports for December 2014. [The Financial Reports are attached to these minutes and incorporated herein by reference.]*

**III.C. Adopt Resolution 2015-04 In Support of the North Carolina Department of Transportation [NCDOT] Funding the Proposed Havelock Bypass [US #70 Highway]**

Morehead City has been asked to join with other Craven County and Carteret County towns to support the NCDOT funding of the proposed Highway #70 Havelock Bypass. The current route has 14 signaled interchanges on the route through Havelock that decrease the flow of traffic for both residents of Havelock and those wishing to travel to the coast. The adoption of Resolution 2015-04 calls upon the North Carolina Department of Transportation to fund and build the project without further delay.

*Adopted Resolution 2015-04 In Support of the North Carolina Department of Transportation Funding the Proposed Havelock Bypass [US #70 Highway]. [Resolution 2015-04 is attached to these minutes and incorporated herein by reference.]*

**III.D. Adopt Resolution of Sympathy 2015-05 for Former Police Chaplain Bob Caffin, Resolution of Retirement 2015-06 for Police Chief Wrenn Johnson and Resolution of Retirement 2015-07 for Public Works Director David McCabe**

*Adopted Resolution of Sympathy 2015-05 for former Police Chaplain Bob Caffin; Resolution of Retirement 2015-06 for Police Chief Wrenn Johnson; and Resolution of Retirement 2015-07 for Public Works Director David McCabe. [Resolutions 2015-05, 2015-06 and 2015-07 are attached to these minutes and incorporated herein by reference.]*

**III.E. Adopt Three [3] Budget Ordinance Amendments:**

**Budget Ordinance Amendment 2015-02 for Various Adjustments to the General Fund and Fire/EMS Fund**

The purpose of this amendment is to adjust the budget as follows:

- To increase Miscellaneous Revenue and Cemetery/Building & Grounds Expenditures by \$3,500 related to reimbursement for expenditures related to vehicle repair in an accident in which the Town was not at fault.
- To increase Cemetery/Building & Grounds Expenditures and decrease Contingency \$7,900 for dredging at South 8<sup>th</sup> Street/Olympus Dive.
- To increase Miscellaneous Revenue and Expenditures in the Police Department in the amount of \$3,440 to recognize a donation from The Neal Foundation to be utilized for Police Department K9 equipment.
- To increase Community Projects and reduce Contingency by \$1,000 for expenditures related to the More for Morehead Program.
- To appropriate Unassigned Fund Balance and increase Transfers to other funds in the amount of \$307,500 to provide funding for the estimated cost of repairs at the Police Station.

In the Fire/EMS Fund the purpose of this amendment is to adjust the budget as follows:

- To increase the Workers' Compensation insurance budget and reduce Contingency in the amount of \$23,000 related to the updated projected cost of Workers' Comp insurance. There is no change in the total budget related to this amendment.

**Budget Ordinance Amendment 2015-03 for Morehead City Municipal Campus Capital Project Fund to Increase Expenditures for Cost of Repairs to Police Station/E911 Center**

The purpose of this amendment is to update the budget to increase transfers from the General Fund and Police Station/E911 Center Expenditures by \$307,500 for the estimated cost of the repairs to the Police Station/E911 Center.

**Budget Ordinance Amendment 2015-04 to Recognize an Increase in Contributed Capital for Sewer Line Relocation**

The purpose of this amendment is to adjust the budget to increase contributed capital and expenditures related to a sewer line relocation at 26<sup>th</sup> & Evans Streets at an estimated cost of \$27,665 to be paid for by the property owners.

The Finance and Administration Committee of the Council reviewed these budget ordinance amendments and recommended adoption.

*Adopted Budget Ordinance Amendment 2015-02 for various adjustments to the General Fund and Fire/EMS Fund; Budget Ordinance Amendment 2015-03 for Morehead City Municipal Campus Capital Project Fund to increase expenditures for cost of repairs to the Police Station/E911 Center; and Budget Ordinance Amendment 2015-04 to recognize an increase in contributed capital for a sewer line relocation. [Budget Ordinance Amendments 2015-02, 2015-03 and 2015-04 are attached to Ordinance Book #7 in the vault.]*

**III.F. Adopt Resolution 2015-01 to Request a Section of Business Drive for Addition to the State Maintained Secondary Road System**

The City has made sufficient repairs to the specifications and standards of the North Carolina Department of Transportation [NCDOT] to the section of Business Drive located between Arthur Farm Road and Facility Drive. Other segments of Business Drive are already a part of the State’s Secondary Road System and it makes sense to include this latest section. The Public Works Committee of the Council has reviewed the request and recommended adoption.

*Adopted Resolution 2015-01 to Request a section of Business Drive located between Arthur Farm Road and Facility Drive for addition to the State Maintained Secondary Road System. [Resolution 2015-01 is attached to these minutes and incorporated herein by reference.]*

**III.G. Award of Contract No. 90 – 26<sup>th</sup> and Evans Streets Sewer Extension to the Low Bidder, Thomas Simpson Construction, in the amount of \$21,842.00**

The following bids were received on December 2, 2014, for Contract No. 90 – Sanitary Sewer Improvements:

Thomas Simpson Company	\$	21,842.00
KBS Construction Company	\$	25,125.00
Keen Plumbing Company	\$	30,160.00
James L. Cayton Utilities, Inc.	\$	38,780.00
Herring-Rivenbark, Inc.	\$	43,335.00
T.A. Loving Company	\$	99,955.00

The project budget is \$27,664.35 for the entire project related to the sewer line relocation at 26<sup>th</sup> & Evans Streets the costs of which to be paid by the property owners. The Public Utilities Committee of the Council reviewed the bid and recommended approval.

*Awarded Contract No. 90 – 26<sup>th</sup> and Evans Streets Sewer Extension to the low bidder, Thomas Simpson Construction, in the amount of \$21,842.00.*

***Councilman Ballou MOVED, seconded by Councilman Taylor, and carried unanimously [Councilman Thompson and Councilwoman Warrender absent], to adopt the CONSENT AGENDA with one [1] motion.***

**IV.A. Public Hearing: Adopt Resolution 2015-02 and Ordinance 2015-01 Amending Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to Add Business Residence as a Special Use in the Highway Commercial [CH] District**

Planning Director Linda Staab reported that Morehead City received a request submitted by Matt and Mindy Fitzpatrick to amend Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to add “Business residence” as a special use in the Highway Commercial [CH] District. The definition of a business residence is a building which contains both a business and a residence and which is subject to conditions of section 14-20 of the UDO.

At the Planning Board Meeting on December 16, 2014, Tom Saunders made the motion, seconded by Tom Outlaw, to recommend approval of the amendment. The motion carried unanimously. The Planning Committee of the Council reviewed the proposed Resolution and Ordinance.

Mayor Jones opened the public hearing. No one spoke for or against the ordinance amendment.

Mayor Jones closed the public hearing.

***Councilman Walker MOVED, seconded by Councilman Taylor, and carried unanimously [Councilman Thompson and Councilwoman Warrender absent], to adopt Resolution 2015-02 and Ordinance 2015-01 Amending Articles 11-1 and 14-20 of the Unified Development Ordinance [UDO] to Add Business Residence as a Special Use in the Highway Commercial [CH] District. [NOTE: Because in order for the proposed amendment to pass a supermajority vote is necessary, this item will again be presented on the Tuesday, February 10, 2015 Council Meeting when only a majority vote will be necessary for passage.***

**IV.B. Public Hearing: Consider the Adoption of an Ordinance Amending the Charter of the Town of Morehead City, Article 3, Section 3.3[a] Terms, Qualifications, Vacancies, to Provide for Election of the Office of Mayor for a Term of Four [4] Years**

North Carolina General Statutes 160A-101 and 160A-102 allow a city to modify their charter to change the terms of office of members of the council by ordinance. Members of council can serve terms of office of either two [2] years or four [4] years. All the terms need not be the same length, and all the terms need not expire in the same year.

Under NCGS 160A-102, the Morehead City Council can amend the current City Charter regarding the term of office of Mayor from two [2] years to four [4] years. The Council adopted a Resolution of Intent to consider such an action at the December 9, 2014 Council Meeting setting the date of the public hearing for January 13, 2015. Following the public hearing, but not earlier than the next regular meeting of the Council and not later than 60 days from the date of the hearing, the Council may adopt an ordinance amending the charter to implement the amendment proposed in the resolution of intent if no referendum petition has been filed.

Mayor Jones opened the public hearing. No one spoke for or against the proposed ordinance.

Mayor Jones closed the public hearing.

***City staff will continue with the procedure for adoption of an Ordinance amending the Charter of the Town of Morehead City, Article 3, Section 3.3[a] Terms, Qualifications, Vacancies, to provide for election of the Office of Mayor for a term of four [4] years.***

**V.A. New Business: Select a Member from Among the Council to Serve as Morehead City's Representative to the Eastern Carolina Council**

The Eastern Carolina Council is one of 16 multi-county planning and development regions in North Carolina. Regional Councils are governed by local public and private sector appointments. These Councils are forums where local officials determine priorities for the area in which their communities are an integral part. Appointments are for a one [1] year term with no limit on the number of terms. Currently, Councilman William Taylor serves as the Morehead City Representative to the Council and he indicated his willingness to continue in this capacity for another term of one [1] year.

***Councilman Ballou MOVED, seconded by Councilman walker, and carried unanimously [Councilman Thompson and Councilwoman Warrender absent], to reappoint Councilman Bill Taylor of the Morehead City Council to serve as Representative to the Eastern Carolina Council for the term of one [1] year.***

**V.B. Adopt Morehead City Parks & Recreation Policies and Procedures**

Manager David Whitlow reported that City staff has been working for some time on creating policies and procedures for usage of the Morehead City Parks & Recreation facilities. The documents and the accompanying information and applications have been reviewed by the Public Works Committee of the Council with the recommendation that it be presented to the entire Council.

Recreation Manager Craig Lands explained the procedure and policies stating that that this was an attempt to control the use of City parks and recreational facilities in a fair manner. As presented, the policy closely mirrors the format adopted by Carteret County for their facilities.

Councilman Ballou commented that the Public Works Committee had been reviewing various policies and that the presented document was a working document which could be updated as events progress.

***Councilman Taylor MOVED, seconded by Councilman Ballou, and carried unanimously [Councilman Thompson and Councilwoman Warrender absent], to adopt Morehead City Parks & Recreation Policies and Procedures as presented.***

**VI. Citizen Requests/Comments: South 11<sup>th</sup> Street Public Water Access Site**

Mr. Roldan Munoz of 1610 Ivory Gull Drive, Morehead City, read a statement requesting the Council to reverse the ban on overnight storage of boats at the public water access site on 11<sup>th</sup> Street. He presented the Council with a petition and asked for reconsideration of this matter at the next Council meeting.

Alice Seliter of Bogue Drive, Morehead City, stated she has owned a home in Morehead City since 2005, that she pays taxes for the 11<sup>th</sup> Street access site and used to keep her boat there. Now, because of the ban on storage she cannot use her boat because she is too tiny to always have to bring it to the launch site and then home again. She commented that the boat racks were installed to be used.

Brad Teer of 200 Bogue Drive, Morehead City, stated that the site was used by a self-managing group and it used to bring people together for sailing. He continued that he met many people at the water access. The ban has shut down the usage of the area. He requested the Council to reverse the storage ban at the site and place the item on the Council Agenda for reconsideration.

Xavior Basurto of Beaufort, stated he works for Duke Marine Labs and is also a sailor. The use of the water access site is a quality of life issue. He used the site to show his pupils at the Marine Lab the joys of sailing and the rich history of sailing.

Ted Odell of 703 Fisher Street, Morehead City, thanked the Council for all it has done for boating, however, in his estimation the small sailboating population has been left out. It is important for Morehead City to support all parts of the sailing and boating community.

Ron Fletcher of 210 Florida Avenue, Morehead City, stated he had a lot of good experiences at the 11<sup>th</sup> Street access. Small boats are difficult to set up and launch in a time frame to get out and enjoy the water for a short period of time. He requested that the Council consider reversing the position on the boat storage ban.

Jimmy Pope stated he lives in Beaufort and when he moved to this area he did not know a thing about sailing, however, since then he has sailed regularly at the 11<sup>th</sup> Street water access. Being able to be a part of the sailing community is what he loves about this area and not having the access makes enjoying a sailboat more difficult. He asked the Council to reverse the ban.

Sarah Spiegler stated that although she lives in Beaufort, one of the best resources is the water accesses in this area. She graduated from Duke University, but loves living in this area and wants to continue to use the water access and maintain the positive aspects of the community.

Mayor Jones thanked the audience, stated that the Council appreciated the comments and that there will be further discussion about this matter.

**VII. City Manager's Report:**

City Manager Whitlow reported that the Council and Planning Board Members will hold a meeting on Tuesday, January 20, 2015, at 5:30 p.m., in the Council Chambers located at 202 South 8<sup>th</sup> Street, Morehead City to review the recently completed Morehead City Municipal Initiative Plan as developed by the Carteret County Economic Development Council.

City Manager Whitlow also announced a Morehead City Council Retreat which will be held on Friday, February 6, 2015, at 10 a.m., in the Council Chambers located at 202 South 8<sup>th</sup> Street.

**VIII. Council Requests/Comments:**

Fire/EMS Chief Jamie Fulk reported that he attended the Carteret County Board of Commissioners Meeting in which \$208,000 from the county was approved for Morehead City to purchase a new tanker.

Mayor Jones recognized the many volunteers who participated in the success of the Crystal Coast Countdown activities, events and programs.

**IX. Adjournment:**

Being there was no further business the meeting was adjourned at 6:15 p.m.

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Gerald A. Jones, Jr., Mayor

Attest:

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Jeanne M. Giblin, City Clerk